

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AMANDA COSTELLO and LONIECE	:
REED, individually and on behalf of all other	:
persons similarly situated,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
KOHL'S ILLINOIS INC., KOHL'S	:
CORPORATION and KOHL'S	:
DEPARTMENT STORES, INC.,	:
	:
Defendants.	:
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Case No. 1:13-cv-1359-(GHW)

REPLY DECLARATION OF MARC S. HEPWORTH

I, Marc S. Hepworth, do hereby declare as follows:

1. I am a member of the bar of this Court and I am a partner at Hepworth, Gershbaum & Roth, PLLC, attorneys for the Plaintiffs and Opt-Ins in the above-captioned action.
2. I submit this Reply Declaration in further support of Plaintiffs' Motion for Conditional Certification and Notice.
3. Attached to this Reply Declaration as Exhibit A are true and accurate copies of the Plaintiffs' letter brief (by our co-counsel) and the transcript of the January 31, 2014 conference in *McEarchen v. Urban Outfitters, Inc.*, 13-CV-3569 (FB), 2014 WL 2506251 (E.D.N.Y. June 3, 2014).
4. Attached to this Reply Declaration as Exhibit B are a true and accurate copies of the title page and pages from named Plaintiff Amanda Costello's deposition, taken in this lawsuit on December 12, 2013.

5. Attached to this Reply Declaration as Exhibit C are a true and accurate copies of the title page and pages from opt-in Plaintiff Vonda Backhaus' deposition, taken in this lawsuit on December 17, 2013.
6. Attached to this Reply Declaration as Exhibit D are a true and accurate copies of the title page and pages from opt-in Plaintiff Homer Alexander's deposition, taken in this lawsuit on December 11, 2013.
7. Attached to this Reply Declaration as Exhibit E are a true and accurate copies of the title page and pages from the Rule 30(b)(6) deposition of Kohl's corporate representative Genevieve Shields, taken in this lawsuit on January 9, 2014.
8. Attached to this Reply Declaration as Exhibit F are a true and accurate copies of the title page and pages from named Plaintiff Loniece Reed's deposition, taken in this lawsuit on November 1, 2013.
9. Attached to this Reply Declaration as Exhibit G is a true and accurate copy of the unpublished Order in *Ibea v. Rite Aid Corp.*, 11 Civ. 5260 (JSR)(HBP), slip op. (S.D.N.Y. Dec. 14, 2011).
10. Attached to this Reply Declaration as Exhibit H are a true and accurate copies of the title page and pages from the Rule 30(b)(6) deposition of Kohl's corporate representative Sharon Loomis, taken in this lawsuit on January 10, 2014.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 27th day of June, 2014, in New York, New York.

/s/ Marc S. Hepworth
Marc S. Hepworth